

1 **BEFORE THE HEARING EXAMINER FOR THE CITY OF REDMOND**

2
3 **IN THE MATTER OF APPLICATION OF)**
4 **LEISURE CARE RETIREMENT)**
5 **COMMUNITIES FOR FAIRWINDS)**
6 **RETIREMENT COMMUNITY PLANNED)**
7 **RESIDENTIAL DEVELOPMENT AND)**
8 **CONDITIONAL USE PERMIT)**
9 _____)

FILE NO: L030003, L030004
ORDER ON RECONSIDERATION

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12 On October 22, 2003, The Hearing Examiner issued Findings of Fact, Conclusions of Law and
13 Recommendation in the above matter, an application for a Conditional Use Permit for a
14 retirement residence. On November 4, 2003, the Hearing Examiner received a letter from Amy
15 Tarce, Senior Planner, advising that four comments received by the City in connection with the
16 SEPA determination had inadvertently left out of the staff Technical Committee Report. Ms.
17 Tarce asked that these comments be included in the record, and that the Examiner's findings of
18 fact be corrected to indicate that these comments had been received.

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20 Rule IX C (3) of the Hearing Examiner's Rules provides in part as follows:

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22 Reconsideration. Any interested person may file a written request with the Hearing
23 Examiner for reconsideration within 10 business days of the date of the Hearing
24 Examiner's decision. The request shall explicitly set forth alleged errors of procedure or
25 fact. The Hearing Examiner shall act within 10 business days after the date of the filing
26 of the request by either denying the request, issuing a revised decision, or calling for an
27 additional public hearing....

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29 Treating Ms. Tarce's letter as a Request for Reconsideration, the same is granted. The omitted
30 documents are attached to this order and are made a part of the record.

1 In addition, Paragraph eight of the Findings of Fact is amended to read as follows:
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3 8. Notice of the Application, SEPA determination, and the Public Hearing was given as
4 required by Ordinance. Five comments were received prior to the hearing:
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6 **Mr. and Mrs. Kirk Doyle.** Their concerns were with density, trees, wildlife habitat,
7 transportation impacts to N.E. Avondale Road, buffering nearby homes and stormwater
8

9 **Heather Poe.** Her concern was that the proposal would significantly degrade the biological
10 function of the Bear Creek buffer
11

12 **Terry Lavender.** Her concern was with the extent of the trail system and the detention
13 ponds within the buffer.
14

15 **Dick Schaetzel.** He asked that the applicant rethink the trail system.
16

17 **Dick Brater,** Manager of the King County Road Services Division. He asked that an
18 additional 25 feet needed for a road project be excluded from the development, and that the
19 detention pond be moved 150 feet south of its then current location.
20

21 Done this 6th Day of November 2003.
22

23 /s/ Gordon F. Crandall
24 _____

25 **GORDON F. CRANDALL**
26 **HEARING EXAMINER**
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